

<u>Members Present</u>	<u>Members Absent</u>	<u>Others</u>
Glen Aasheim, MD		Paul Conrad
Nancy Askew		Tom Cowan
Joe Brenneman		Lisa Dennison
Duane Larson		Wendy Doely
Wayne Miller, MD		Myni Ferguson
Doug Smith, DMD		Mayre Flowers
Art Thompson, MD		Kirsten Holland
		Jeannine Lund
		John Passarge
		Jennifer Rankosky
		Joe Russell

John Passarge announced that he and his wife have submitted letters to Russell, Tara Fugina, and each Board of Health member referring to complaint number 586 submitted to Environmental Health. He stated that he and his wife live on Parker Hill Road and there are multiple properties in the area that are not in compliance with septic regulations. He added that he had filed a previous complaint where he did not follow-up and the complaint was disregarded. Therefore, he filed another complaint in regard to the issue and is following the process of this complaint. Passarge asked that the members of the Board become involved in this issue because there are many irregularities, delays, and clear violations of the Montana State law, the Montana constitution and the Flathead County Sanitation laws. He said that many of the violations are conducted by the Flathead City-County Board of Health and the Health Department staff. Passarge announced that he and his wife have gathered supporting documentation, photographs,

newspaper articles and witnesses that will support his allegations. He added that the Department is attempting to deny and harass him and his wife of their constitutional rights while allowing noncompliance of the County laws. He said that last Thursday, he went to the Environmental Health Department to obtain access to the compliant file 586. When asking for the documents in a complete file, he was given one sheet of paper and was refused by the staff to be given the complete file. Passarge distributed documents to the Board. He added that while trying to obtain the file, he was told by Richard Montgomery that he was to file a Freedom of Information Act document which was contrary to what Fugina had written and documented. He said that he has been repeatedly denied documents by the staff and Russell. Passarge announced that on October 16th Russell refused to let him view three documents which go against State laws that declare that the public have rights to obtain almost all files with exception of personnel files. Passarge concluded that with all of the harassment that he has endured he has one course of action which is litigation. He asked that after the meeting, he and the Board members go to the Environmental Health Department so that he can obtain every document within the file. Passarge stated that he would like to present a detailed presentation to the Board of Health at the January meeting regarding staff actions towards him. Askew reported that this issue will be placed on the January's Board of Health agenda. Miller stated that the Board needs background information before discussing this matter.

Mayre Flowers-

Mayre Flowers reported that the City of Kalispell will be conducting a work session at 7:00 P.M. on Monday regarding septage pumping. She added that as she continues to conduct research on this issue, it is becoming to be an issue of growing importance nationally. Flowers announced that she plans to stay involved and continue to search for a better solution to this issue.

Variance Request – Cormack's Whitefish Property

Russell announced that this variance is requested on Cormack's Whitefish property. He said that Tom Cowan, P.E. of Carver Engineering is in attendance for any questions that the Board may have of him. Russell said that this property had a septic system permit issued in 1984. It is a lakefront property and the original system was difficult to install. The current system is failing and Cowan has asked to design a new system. Cowan proposed a level two treatment system to be added and a new drainfield installed. Russell announced that the applicant needs the Board to grant three variances so that the permit can be issued. Two of the variances are for setbacks. Russell said that it would not be easy to move the tank and gain the separation that a Board of Health has already granted a variance to. Russell said that the last requirement to approve the permit is to grant a variance to the design and construction standards of 9.2. He announced that this is typical technology used to add a higher level of treatment than generally what would be in a conventional system. Aasheim inquired about the maintenance for the proposed system. Russell said that in granting the variance, the system distributors will conduct a bi-annual on-site inspection of all the major components of the wastewater treatment system for the first two years after use of the system begins. Thereafter, the system will be inspected annually. Miller wondered if the house still contains two bedrooms. Russell said that the house now has five bedrooms. He added that they have found that on lakefront properties, the occupancy does not completely correlate with the number of bedrooms. Brenneman asked if the proposed system is rated for a five bedroom house. Russell stated that it is rated for a five bedroom house. Brenneman referred to exhibit B of the variance packet which lists several concerns stated by Drew Paslawsky. He wondered if the proposed system avoids or addresses the concerns referenced by Paslawsky. Russell said that the system does address those issues. Brenneman asked Cowan if he will be involved in the oversight of the construction. Cowan said that he will and the installment will include the conditions as set by the Board.

Doug Smith entered the meeting at 2:20 P.M.

MOTION Brenneman to grant the Cormack's Whitefish Property variance with the conditions deemed by the Health Department.
SECOND Larson

Miller wondered how the conditions will be monitored for compliance. Russell said that Cowan will be present at the time of the construction and will be in contact with the Department. He added that the Department will receive information on the performance of the system based on the conditions placed in the variance request. Miller wondered if the Department monitors files to ensure that the performance reports are being submitted by the inspectors on schedule. Russell said that the process has been problematic in their office at this time. They are trying to address possibilities of constructing a calendar for that purpose.

MOTION CARRIED
(Abstain: Smith)

Departmental Reports

Environmental Health-

Russell announced that both Wendee Jacobs and Glen Gray are sick. He asked if there were any questions regarding the Environmental Health report. There were no questions.

Community Health-

Boni Stout was absent due to a training for Community Health.

Home Health-

Paul Conrad distributed a document stating that in the third year in a row, Flathead County Home Health was in the top 25 percent of home health agencies in the country based on fiscal performance and patient outcome. He said that Flathead County Home Health is the only agency in the county to be placed in that category. Conrad said that their patient census increased significantly in November. He added that their website is still under construction. He announced that Home Health hired McBee and Associates to audit their Medicare claims. He added that there is no upfront cost for the service but they charge 30 percent of any claims that are not paid out. Conrad stated that their telehealth data was due at the end of November. They learned that in the process of comparing nursing visit costs, most agencies reported an average nursing visit cost of \$210.00 where as Home Health's average cost was \$134.00. Conrad announced that Medicare is ending their free electronic access for billing. Therefore, Home Health will have to use an approved vendor to conduct electronic billing. They will use VisionShare which will provide billing services for \$600.00 per year. Miller congratulated Conrad on their top 25 percent national status.

WIC-

Jeannine Lund stated that she met with a representative from the Hope Pregnancy Center on how to coordinate services and conduct less duplication. She announced that their monthly display provides weight control tips during the holiday season. Lund said that WIC has been increasing their case loads and the staff has handled the increase well. Aasheim inquired about the increased case load. Lund stated that the economic recession has placed financial stress on families and therefore are more inclined to use WIC's services. She added that they have had an increase of 10 to 15 new participants per month and they have had past clients return for services.

Community Health Center and Reproductive Health-

Wendy Doely announced that she does not have anything to add to the Reproductive Health report. She stated that the mobile dental clinic is parked outside the Health Department. They hope to start seeing clients shortly after Christmas. Doely said that the Community Health Clinic has been open for a year and 71 percent of the patients seen have been uninsured. Of the 71 percent, 60 percent of the clients paid

only the minimum fee. She said that they are reaching their target population but they are not generating much revenue for the center. Doely announced that their patient numbers have been increasing and they are seeing approximately 30 patients per day. Thompson inquired about personnel. Doely said that the clinic is fully staffed and she is done hiring through the end of the fiscal year. Aasheim inquired about the grant funding. Doely reported that the State grant will provide them with funds through June of 2010. She stated that she will be traveling to Helena during the legislative session to testify on behalf of the Community Health Center expansion legislation. She announced that by January 1st, they will find out if they are approved for a federally qualified health center look-a-like status. Having a look-a-like status will allow the center to have preferred billing for Medicaid and Medicare as well as enhance the ability of the center to be federally funded. Doely reported that they had a great turnout for the CHC's legislative open house. Smith stated that he will speak with Doely after the meeting as he may be able to assist her with the dental clinic. Miller inquired about the CHC's financial reports and asked about various large balances. Doely stated that before she knows how much revenue they will begin to generate in the program, it is important to be cautious. Miller asked that Doely share with the Board her revenue projections for the year and the year to date at the next meeting. Brenneman stated that when in the legislature there become bills that Doely needs passed, he asked that Doely notify him and he will be willing to travel to Helena for the case.

Animal Shelter-

Kirsten Holland distributed a packet containing minutes from the Animal Advisory committee to the Board. Holland announced that she included both the October and November statics in the Board packet. She reviewed the shelter statistics with the Board. She reported that she and Russell will soon be conducting interviews for the front office position. They hope to have an employee hired by the new year. The Animal Advisory Committee had a workshop on inexpensive shelter remodeling. Holland said that there was a dramatic decrease in the amount of animals rescued. She added that the live release rate has also decreased in the past few months. Holland stated that they have increased euthanasia of cats that are sick and have not responded to treatments. She is planning to reduce the sick cat figure to a maximum of 10 percent. Holland reported that they have identified a veterinarian technician who will become a county employee rather than a contractor. She announced that the Flathead Shelter Friends is a non-profit organization that was established by Carmen O'Brien, Cindie Jobe, Linda Garidy, and Barb Honeycutt. They will be working to raise money for the Shelter. Holland said that the Shelter has increased their cat adoption fee back to \$30.00. She thanked the Board for their assistance in providing funding for a temporary front office position at the Shelter. Askew asked that the reports from the Animal Shelter Advisory Committee be placed in the Board of Health packets each month.

Committee Reports

Miller stated that they are still struggling to help the EMS Advisory Committee recognize that they are an Advisory Committee and not a board. Russell suggested scheduling a Health Board EMS Committee meeting in the near future. The Committee scheduled the meeting for December 22 at 9:30 A.M.

Health Officer's Report

Septage-related matters-

Russell reported that nothing has changed on the Duane Lee site besides more incoming letters. Russell believed that the application was still at the DEQ office. He stated that his focus is to look at other alternatives. He is constructing a report for the Board of Health and community that will define the process of septage disposal within the regulatory framework and will also discuss the alternative septage disposal mechanisms. Russell stated that he will be attending the Kalispell City Council's workshop involving discussions on septage disposal at the Kalispell sewage treatment plant. He said that he will continue to compile information and bring it back to the Board as a report.

Building/Community Health Center-
Russell announced that the building process continues to move forward on schedule.

Legislative Matters-
Russell said that if the Board desired, he could e-mail legislative issues to the Board. He reported that he has been working to get restaurant license fees increased to an acceptable level. Russell stated that the Department has been working with the Kalispell Regional Hospital and North Valley Hospital on some legislation to protect medical care providers in the event of an emergency or disaster as called by the Governor. Miller stated that they are still working with KRMC on trying to establish a bulk purchasing consortia where the Department of Health will become a subordinate member. He added that the hospital has to approve any other entity becoming a member of VHA and the hospital is willing to do so. Miller said that hopefully the EMS units and the Community Health Center will be able to purchase supplies and medications through this.

Russell reported that the matter related to the Burton variance is still unresolved and is currently at the DEQ office.

Other Business

There was no other business.

Board Member Comments

Miller listed several agenda items that he would like to discuss at future Board meetings. The items include a discussion on portable toilets, an explanation of the reserve fund rational, and the process or policy in place to ensure that granted variances are in compliance. Miller suggested that an amplification system be in place for those who have a difficulty hearing.

The meeting adjourned at 3:15 P.M.

Lisa Dennison, Secretary